

1 **UNITED STATES DISTRICT COURT**2 **DISTRICT OF NEVADA**

3 Lon Allen Clark,

Case No.: 2:23-cv-02163-RFB-EJY

4 Petitioner

Order

5 v.

6 Gabriela Najera,

7 Respondents

8

9 Petitioner Lon Allen Clark, a *pro se* Nevada prisoner, commenced this habeas action by
10 filing an application for leave to file a second or successive petition under 28 U.S.C. § 2254 (ECF
11 No. 1-1). The Ninth Circuit Court of Appeals denied Clark's application as unnecessary and
12 transferred the application to this Court to be processed as a § 2254 petition (ECF No. 1-2).13 Clark, however, has not filed a petition on the Court's approved form or in substantial
14 compliance with the form. The form is important as it provides the Court with necessary
15 information to conduct preliminary review. Accordingly, Clark must, within 45 days of the date
16 of this order, file a petition for habeas corpus relief on the Court's form.¹ Clark is advised to follow
17 the instructions on the form and to refrain from lengthy legal or factual argument.18 IT IS THEREFORE ORDERED that the initial screening of the Petition for Writ of Habeas
19 Corpus (ECF No. 1-1) under the Rules Governing Section 2254 Cases and consideration of Clark's
20 Motion for Appointment of Counsel (ECF No. 9) are deferred to until such time as he has fully
21 complied with this order.

22

23

¹ Clark at all times remains responsible for calculating the applicable statute of limitations.

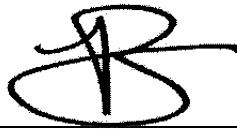
1 The Clerk of Court is instructed to send Clark (1) a blank form petition for writ of habeas
2 corpus pursuant to 28 U.S.C. § 2254 with instructions; and (3) a copy of this order.

3 It is further ordered that, within 45 days of the date of this order, Clark must file a petition
4 for writ of habeas corpus on the Court's form within 45 days of the date of this order.

5 It is further ordered that Petitioner's failure to comply with this order within 45 days will
6 result in the dismissal of this action without prejudice and without further advance notice.

7 It is further ordered that Clark's Application for Leave to Proceed *in forma pauperis* (ECF
8 No. 11) is denied.

9
10 DATED this 5 day of March, 2025.

11
12 
13
14
15
16
17
18
19
20
21
22
23

UNITED STATES DISTRICT JUDGE